

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sightpath Medical, LLC,

Civil No. 17-cv-0180 (MJD/TNL)

Plaintiff,

v.

ORDER

Benjamin Kohler,

Defendant.

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated March 3, 2017 (ECF No. 41), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Dismiss or to Transfer Pursuant to Fed. R. Civ. P. 12(b)(2) and 28 U.S.C. § 1406(a), (ECF No. 28), is **DENIED**.
2. The parties' Stipulated Permanent Consent Injunction, Order, and Judgment, (ECF No. 40), is **APPROVED**.
3. Plaintiff's Motion for Temporary Restraining Order and/or Preliminary Injunction, (ECF No. 8), is **DENIED AS MOOT**.

Date: March 22, 2017

s/Michael J. Davis
Michael J. Davis
United States District Court Judge